# APPLICATION FOR AMENDMENT OF PLAN UNDER SECTION 12A OF THE TOWN PLANNING ORDINANCE

## **APPLICATION NO. Y/H5/5**

**Applicant** Yuba Company Limited represented by AECOM Asia Limited

Site 1, 1A, 2 and 3 Hillside Terrace, 55 Ship Street (Nam Koo Terrace), 1-

5 Schooner Street, 53 Ship Street (Miu Kang Terrace) and adjoining

Government Land, Wan Chai, Hong Kong

Site Area About 2,427.9m<sup>2</sup> (including about 300m<sup>2</sup> government land)

<u>Lease</u> Inland Lot (IL) 2140, IL 1940, IL 2272 & Ext. IL 1564, IL1669, IL

2093 R.P. and IL 2093 s.A R.P.

- Standard non-offensive trades clause (IL 2140)

- Virtually unrestricted except non-offensive trades clause (the

remaining ILs)

**Plan** Draft Wan Chai Outline Zoning Plan (OZP) No. S/H5/27

(at the time of submission of the application)

Draft Wan Chai OZP No. S/H5/28 currently in force

(the zoning of the site remains unchanged)

**Zonings** "Open Space" ("O") (84%), "Residential (Group C)" ("R(C)") (14%)

and "Government, Institution or Community" ("G/IC") (2%)

**Proposed** To rezone the application site from "O", "R(C)" and "G/IC" to

**Amendment** "Comprehensive Development Area" ("CDA")

## 1. The Proposal

- 1.1 The applicant proposes to rezone the application site (the Site) (**Plan Z-1**) from "O", "R(C)" and "G/IC" to "CDA" to facilitate a development which comprises residential and commercial uses and preservation of the Grade 1 historical building of Nam Koo Terrace (NKT). The applicant submitted a Proposed Indicative Scheme in the current application to demonstrate that the proposed land uses and development parameters are acceptable.
- 1.2 The layout plan, floor plans, section plan and landscape plan of the Indicative Scheme are shown in **Drawings Z-1 to Z-7**. The Indicative Scheme comprises a 21 storeys (90.25mPD) residential building including 17 storeys of residential

use, which is situated on a 3-storey podium with one storey for open space/covered landscape area at the podium roof level of 34mPD (Drawing The podium comprises 3 lower ground floors for recreational facilities ancillary to residential use, E&M facilities and shops (**Drawing Z-5**). of about 1,700m<sup>2</sup> of open space (including the site area of NKT) and 592m<sup>2</sup> covered landscape area underneath the residential tower will be provided (Drawings Z-3, Z-6 and Z-7). The open space and landscape area, as proposed by the applicant, is provided for the residents of the proposed private development and will be made available for public use at reasonable hours (0600 -2300 daily) in the form of public open space in private development (POSPD). The proposed open space would be constructed, managed and maintained by the Besides, private open space of 648m<sup>2</sup> will be provided for the residents of the building on the roof at +90.25mPD. Regarding NKT, the applicant proposes to restore, preserve and maintain it at no cost to the Government. NKT will be used on a non-profit making basis for the benefit of the public (e.g. for holding wedding ceremony/visit by guided tours). development parameters of the Indicative Scheme are tabulated below.

| Development Parameters                     | Indicative Scheme      |
|--|------------------------|
| Site Area <sup>(#)</sup>                   | 2,427.9m <sup>2</sup>  |
| Proposed GFA                               | 12,523.5m <sup>2</sup> |
| - Domestic                                 | 11,843.5m <sup>2</sup> |
| - Non-domestic (including NKT (384m²))     | 680m <sup>2</sup>      |
| Proposed Plot Ratio (PR)                   | 5.16 (including NKT)   |
|  | 5 (excluding NKT)      |
| Proposed Building Height (BH)              | 90.25mPD               |
| No. of Storeys                             | 21                     |
| - At or above 34mPD                        | 18                     |
| - Below 34mPD                              | 3                      |
| Number of Domestic Block                   | 1                      |
| Number of Units                            | 221                    |
| Average Unit Size                          | 45.6m <sup>2</sup>     |
| Open Space*                                | 2,292m <sup>2</sup>    |
| - Open-air (incl. NKT)                     | 1,700m <sup>2</sup>    |
| - Covered landscaped area                  | 592m <sup>2</sup>      |
| Open Space on the Roof Floor (for private) | 648.27m <sup>2</sup>   |
|  |                        |

<sup>#</sup> The site area includes the government slopes of 300m² and the footprint of NKT is about 685m²

\*The proposed open space in the form of POSPD will be open at reasonable hours (opens at 0600 – 2300)
and serve both public and residents of the proposed development

1.3 The Site is not accessible by any vehicular access. No internal transport facilities including carparking spaces and loading/unloading facilities are provided in the Indicative Scheme. Residents and visitors would make use of the public transport services and the nearby on-street and off-street car parking spaces as well as loading/unloading (L/UL) facilities in the vicinity. According to the applicant, the main entrance of the proposed development will be located at Schooner Street at +20mPD which is accessible from Queen's Road East through pedestrian accesses via St. Francis Street, Sik On Street and Ship Street, and from Kennedy Road through stepped street (**Drawing Z-8**). The applicant will provide a pedestrian barrier-free access to connect the podium

floor (at +34mPD) of the Indicative Scheme (near NKT) with the Hopewell Centre II (HCII) (under construction). Residents and visitors gain access the Site using the lift (**Drawing Z-7**) in the future public park at Ship Street to be constructed by the developer of the HCII development.

- 1.4 The current application (No. Y/H5/5) was received on 13.4.2018 and was originally scheduled for consideration by the Metro Planning Committee (the Committee) on 6.7.2018. On 6.7.2018 and 10.11.2018, at the request of the applicant, the Committee decided to defer making a decision on the application pending the submission of further information (FI) by the applicant. A number of rounds of FI were submitted by the applicant (**Appendices Ib to Io**). The application is scheduled for consideration by the Committee at this meeting.
- 1.5 In support of the application, the applicant has submitted the following documents:

(a) Application form received on 13.4.2018 (Appendix I)

(b) Supplementary Planning Statement (Appendix Ia)

(c) Applicant's letters dated (1) 16.1.2019 & 18.1.2019, (2) 1.4.2019, (3) 10.6.2019, (4) 22.8.2019, (5) 30.9.2019 providing FI including submissions are accepted but not exempted from publication requirement, while the rest<sup>1</sup> are accepted and exempted from publication requirement

(Appendices Ib to Io)

# 2. <u>Justifications from the Applicant</u>

The justifications put forth by the applicant in support of the application are detailed in section 8 of the Planning Statement at **Appendix Ia**. They are summarised as follows:

- (a) this planning application is in line with the Policy Addresses over the past few years which emphasises the need of housing supply and the protection of privately-owned historic buildings. The rezoning proposal helps to contribute the ongoing urban renewal and revitalisation process in Wan Chai and synergise with other developments in the surrounding area, bring a better quality environment to the local residents and the general public;
- (b) the zoning of a privately owned site to "O" has resulted in planning blight as the applicant has no obligation to implement the open space and there is no incentive for the applicant to preserve NKT. The drastic act of rezoning a large portion

 $^1$  The FIs were submitted on 21.8.2018\*, 5.9.2018\*, 20.9.2018\*, 16.1.2019 & 18.1.2019, 1.4.2019, 10.6.2019, 22.8.2019, 20.9.2019\*, 30.9.2019, 29.10.2019\*, 21.11.2019\*, 28.11.2019\*, 4.12.2019\* and 5.12.2019\*. The dates marked with \* were FIs accepted and exempted from publication requirement.

of the Site from "R(B)" to "O" since 1994 completely destroyed the development and commercial value of the privately owned site. There has not been any indication of an implementation programme nor effort by the Government to resume the land for implementation. Since the Site has been left vacant for over 20 years with no prospect of implementation, rezoning the Site to "CDA" will allow for better land use allocation, help implementing the intention to preserve NKT with the integration of open space development, and enable an increase of flat supply in the locality. There are a number of planning precedents in relation to rezoning land from "O" to residential use in the whole territory since January 1990;

- (c) the "O" zone within the Site is not ideal for the development of local open space based on the assessment on the suitability of the Site according to the criteria such as visibility and accessibility from public roads listed in the Hong Kong Planning Standard and Guidelines (HKPSG). Nonetheless, the Indicative Scheme dedicates a majority of outdoor space for public use and the public can access at reasonable hours, thereby supplementing the local open space system;
- (d) the proposed "CDA" zone is consistent with the adjoining "R(C)" zones in the immediate neighbourhood which share a common planning and site context for residential and commercial uses. The character of the neighbourhood will remain unchanged after rezoning. Besides, the proposed BH of 90.25mPD is also in keeping with the surrounding developments including Hoover Tower Blocks 1 and 2, and St. Francis Canossian College. The rezoning proposal is simply to reverse the Site to its original compatible zoning (i.e. residential use) while also allowing for future planning control on the preservation of NKT;
- (e) as the planning intention of "CDA" encompasses all of the main development components of the Indicative Scheme and allows for consideration of the various site constraints for the proposed development, it is considered suitable to rezone the Site as "CDA". The proposed "CDA" zone will ensure control on the future implementation of the planning intention through the subsequent Section 16 Planning Application;
- (f) the implementation of open space under the OZP Compliant Scheme will be much difficult as two residential developments within "R(C)" zone will be standalone development fronting Schooner Street and the open space will be hidden between the two buildings. The rezoning of the Site to "CDA" will provide the necessary incentive and flexibility under a non-ambiguous zoning for the future redevelopment of the Site. The rezoning proposal is a significant improvement to the existing zoning which has resulted in unimplemented open space zones at NKT and Hillside Terrace (HST), as well as residual and ineffective open space on the Government slopes;
- (g) the rezoning proposal will put a very valuable urban land resource back in use and cease the wastage which has been continued for about two decades. The non-implementable "O" zone can only result in further planning delay and planning blight. Comprehensive development of the Site will aid in environmental upgrading and improvement for the local community;

- (h) the rezoning proposal will enable the provision a wider choice of housing to meet the quality housing demand in close proximity to major employment centres, and relieve the shortage of housing in the prime urban area in Hong Kong;
- the proposed residential and commercial development in the Site is compatible with the preserved NKT. Whilst the future use of NKT is still subject to further discussion with the Government, the preservation of NKT will enhance the heritage resources, vitality, image and sense of place of the Wan Chai area, bring better quality environment to the local residents and improve the environment of Wan Chai District. The stone retaining wall facing Ship Street with a stone plaque engraved with "南固臺" will be retained to give visitors direction to the building. Guided tours will be available for members of the public by prior arrangement only. The proposed open space adjoining NKT will also provide an additional place for photo taking and allow visitors to appreciate NKT; and
- (j) the proposed planning parameters under the Indicative Scheme for the "CDA" zone will be technically feasible in terms of landscape, environmental, transport and other technical aspects including geotechnical, drainage, sewerage, utilities and air ventilation during the operation stage of the development. Appropriate mitigation measures and good site practice will be provided and adopted to ensure no adverse environmental impact during the construction stage of the project.

# 3. <u>Ultimate Scheme</u>

The applicant's original intention is to submit the Ultimate Scheme (Plan Z-2 and **Drawing Z-9**) covering a larger site area (about 2,827.9m<sup>2</sup>), which include IL 9048 and the stepped street sandwiched between IL 9048 and the Site (bounded by the light dotted line on **Drawing Z-3**), with a larger number of residential flats and more open space provision. Similar to the Indicative Scheme, the Ultimate Scheme will have one 21-storey residential building including a 3-storey podium floor. With a proposed GFA of 14,139.5m<sup>2</sup> and PR of 5.14 (based on whole site basis and including GFA of the historical building of NKT). The area of open space to be open to public is 2,777.9m<sup>2</sup> comprising 1,997.9m<sup>2</sup> uncovered open space and 780m<sup>2</sup> covered landscape area. Since part of the application site within the Ultimate Scheme overlaps with the Amendment Item E of the draft Wan Chai OZP No. S/H5/27 which has yet to be approved by the Chief Executive in Council (CE in C). Hence, submission of an application for the Ultimate Scheme does not satisfy the requirement under Section 12A(2) of the Town Planning Ordinance (the Ordinance) in that no proposal under the application shall relate to any matter relevant to any area covered by any amendment introduced to the original approved plan by the relevant draft plan. For the current application, the Planning Assessment in paragraph 13 below is therefore only on the Indicative Scheme.

# 4. Compliance with the "Owner's Consent/Notification" Requirements

The applicant is the sole "current land owner" of the private lots. Detailed information would be deposited at the meeting for Members' inspection. For the portion falling

within government land, the "owner's consent/notification" requirements as set out in the Town Planning Board Guidelines on Satisfying the "Owner's Consent/Notification" Requirements under Section 12A and 16 of the Ordinance (TPB PG-No.31) is not applicable.

# 5. Background

Zoning History of Nam Koo Terrace and Hillside Terrace

- 5.1 In 1983, Hopewell submitted a planning application for a proposed hotel development (now known as HCII under construction). In order to facilitate the HCII development, Hopewell once proposed in 1988 to surrender five sites<sup>2</sup> it owned but outside the HCII application site (which covered, among other, NKT and HST) to the Government in exchange for some Government land within the application site (**Plan Z-13**). However, in the subsequent scheme approved by the Board in 1994 (No. A/H5/217), Hopewell proposed to surrender two of the above five sites only (with NKT and two other site<sup>3</sup> excluded). The land exchange proposal (involving the surrender of two sites) eventually did not materialise because of the then land administration policy.
- 5.2 NKT and HST were originally zoned "Residential (Group B)" ("R(B)") on the In April 1994, in view of the above planning Wan Chai OZP in 1980. background that NKT and HST had been proposed for surrendering to Government, the Board decided to rezone them from "R(B)" to "O" for reasons that (a) to limit development intensity in the Sau Wa Fong stepped street area; (b) to form a strategic open space network together with the public open space development in HCII development; (c) to preserve NKT; and (d) to meet the shortfall of open space provision in the area. After giving consideration to the objections including that lodged by Hopewell, the Board decided to retain the "O" zone for NKT and HST in 1996. The main reasons were (a) to address the shortfall of open space provision in the old urban core of Wan Chai; (b) to improve the environment of the area as the sites are part of a comprehensive and integrated open space network; and (c) open space shortfall would be aggravated in the area if the sites are rezoned to "R(A)" or "R(C)".
- During the review on "O" zones involving private land within the Wan Chai OZP in 2006, the Board agreed that the "O" zone for NKT and HST should be retained as they were proposed to be surrendered to Government under a number of planning schemes approved by the Board for the HCII development between 1985 and 1994 and they were rezoned to "O" in 1994 to reflect such a planning intention.

All the five sites were: (a) 55 Ship Street (Nam Koo Terrace), (b) 1A/1-3 Hillside Terrace, (c) 196-206 Queen's Road East, (d) 9-19 Sam Pan Street; and (e) 214-224 Queen's Road East.

The other two sites were 9-19 Sam Pan Street and 214-224 Queen's Road East.

# 6. Town Planning Board Guidelines

The Town Planning Board Guidelines for Designation of "CDA" Zones and Monitoring the Progress of "CDA" Developments (TPB PG-No. 17A) are relevant to this application. The objectives of designating "CDA" are summarised as follow:

- (a) to facilitate urban renewal and restructuring of land uses in the old urban areas;
- (b) to provide incentives for the restructuring of obsolete areas, including old industrial areas, and ensure integration of various land-uses and infrastructure development, thereby optimizing the development potential of the site;
- (c) to provide a means for achieving coordinated development in areas subject to traffic, environmental and infrastructure capacity constraints, and in areas with interface problems of incompatible land uses;
- (d) to ensure adequate as well as timely provision of Government, institution or community (GIC), transport and public transport facilities and open space for the development and where possible, to address the shortfall in the district; and
- (e) to ensure appropriate control on the overall scale and design of development in areas of high landscape and amenity values and in locations with special design or historical significance.

# 7. <u>Previous Application</u>

There is no previous rezoning application in respect of the Site.

# 8. Similar Application

There is no similar application within the "O", "R(C)" and "G/IC" zone in Wan Chai Planning Area.

# 9. The Site and Its Surrounding Areas (Plans Z-1 to Z-11)

#### 9.1 The Site is:

- (a) generally situated on a sloping topography (**Plan Z-4**) comprising a few building platforms ranging from 20 to 34mPD;
- (b) mainly occupied by NKT (i.e. a Grade 1 historical building) (vacant) (**Plan Z-5**), the former St. Luke's College (vacant) (**Plan Z-5**) and a 6-storey residential building (i.e. Miu Kang Terrace (MKT)) with two retail stores on ground floor (**Plan Z-6**);
- (c) partly covered by the Government slopes which are densely vegetated;

- (d) bounded by Ship Street to its east (**Plan Z-6**), and Schooner Street and the stairs along HST (**Plan Z-7**) and Sau Wa Fong (**Plan Z-8**) to its north; and
- (e) inaccessible by vehicles. NKT and the former St. Luke's College (situated at level 34mPD (about)) are accessible through stepped street at HST. The residential building at MKT (situated at level 20mPD (about)) is accessible for pedestrian by Queen's Road East via stepped streets at Ship Street (**Plan Z-6**), St. Francis Street (**Plan Z-9**) and Sik On Street (**Plans Z-10** and **Z-11**).
- 9.2 The surrounding area has following characteristics:
  - (a) area to the east across Ship Street is a proposed hotel development (i.e. HCII) which is currently under construction;
  - (b) the neighbourhood to the north and northwest is mainly occupied by a mixture of old and new, low to high-rise residential developments with some commercial uses on the lower floors;
  - (c) several GIC uses and open space are located in the vicinity including St. Francis' Canossian College and St. Francis' Canossian School to the immediate southwest, Hung Shing Temple to the northeast, Ship Street Playground (currently under construction) to the immediate northeast and Kwong Ming Street Children's Playground to the further northwest; and
  - (d) the area is well-served by public transport including tram, buses and minibus, and is about 450m away from Wan Chai MTR Station. The pedestrian footpaths surrounding the Site is shown on **Plan Z-11**.

## 10. Planning Intention

- 10.1 The planning intention of the "O" zone is primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.
- 10.2 The planning intention of the "R(C)" zone covering the Sau Wa Fong areas is for low to medium-rise residential developments subject to PR of 5 and BH of 12 storeys restrictions to preserve the local character and to avoid adverse visual, air ventilation and traffic impacts from more intensive development.
- 10.3 The planning intention of the "G/IC" zone is primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organisations providing social services to meet community needs, and other institutional establishments.

# 11. Comments from Relevant Government Departments

11.1 The following government departments have been consulted and their views are summarised as follows:

# **Heritage Conservation Policy**

11.1.1 Comments of the Commissioner for Heritage's Office, Development Bureau (CHO, DEVB) and Executive Secretary (Antiquities and Monuments Office (AMO)):

## Preservation of NKT

- (a) It is noted that NKT, a Grade 1 historic building at 55 Ship Street, is within the Site. By definition, a Grade 1 historic building is a building of outstanding merit, which every effort should be made to preserve if possible. In the proposed development scheme, NKT will be preserved in-situ and converted into a wedding ceremony venue/for guided tour to be operated on a non-profit making basis, which will be made available for public access and appreciation. This approach commensurate with the heritage value of NKT. As far as the preservation of NKT is concerned, it is in line with the proposal presented by the applicant of this application in the Wan Chai District Council (WCDC) on 7 July 2015.
- (b) The proposed re-configuration of the main access point (**Drawing Z-8**) would only result in altering the sequence through which the NKT site would be appreciated by the public without causing any physical damage to NKT. Nevertheless, it would still allow the public to appreciate NKT. In this regard, it is considered that the proposed re-configuration would not undermine the overall heritage values of NKT from heritage conservation perspective.
- (c) To properly manage the change in NKT during the conversion works, both physically and visually, the applicant should submit a Conservation Management Plan (CMP) including a detailed conservation proposal for the graded historic building (i.e. NKT) prior to the commencement of any works and implementation of the works in accordance with the accepted CMP to the satisfaction of the AMO. It is noted that the applicant agreed to prepare a CMP and submit for AMO's approval prior to the commencement of works, approval condition may be imposed if the subsequent Section 16 application to be submitted by the applicant is approved.
- (d) It is noted that a new 21-storey residential block is proposed in the close vicinity of NKT. The applicant should ensure that no works arising from the proposed development would damage

NKT. The visual impact caused by the new residential block and any other new building(s) to NKT should be minimised.

# GFA of NKT

- (e) According to the heritage conservation policy promulgated since 2007, the Government recognises that on the premise of respecting private property rights, there is a need to offer appropriate economic incentives to compensate private owners for their loss of development rights, with a view to encouraging or in exchange for private owners to conserve historic buildings in their ownership. A proper balance between preservation of historic buildings and respect for private property rights is to be Given individual circumstances, the requisite economic incentives to achieve the policy objective would be considered on a case-by-case basis. For example, private owners would be given policy support for their applications to relax the restrictions on PR and/or site coverage in order to encourage them to adopt a "preservation-cum-development" approach in preserving and revitalising their historic buildings. Some successful precedent cases are detailed in Appendix II.
- (f) Under the prevailing policy, economic incentive is given through relaxation of development restrictions (such as PR, in which the GFA of the preserved historic building is included) rather than through exemption of GFA of the preserved historic building. While there is in-principle support for similar approach under the prevailing policy to be applied to this application, the applicant is required to provide information on the GFA of NKT for his further consideration at the building plan submission stage.

# Public Open Space in Private Development

- 11.1.2 Comments of the Secretary for Development (Lands Unit) (SDEV(L)):
  - (a) The policy objectives and the provision, funding, management and maintenance on POSPD in future private developments has set out in policy of POSPD and the "Public Open Space in Private Developments Design and Management Guidelines".
  - (b) As regards the Guidelines, it is also clearly stated in the preamble of the Guidelines that the Design Guidelines will apply to future POSPD with flexibility allowed to cater for individual cases on their own merits while the Management Guidelines serve as a set of good practices and are advisory in nature. Both the Design and Management Guidelines are not mandatory as such.
  - (c) As DEVB is not the clearing house of POSPD proposals of individual private developments or planning applications, he

- would not comment on individual cases as long as it is dealt with in accordance with the above policy arrangements.
- (d) Nevertheless, he points out that (i) waiver from LandsD for commercial activities might be required on a case-by-case basis; and (ii) the minimum requirement for the opening hours to POSPD should not be less than 13 hours while it should be 24 hours a day if it is a key passage in local pedestrian system or waterfront promenade.

## **Land Administration**

- 11.1.3 Comments of the District Lands Officer/Hong Kong East, Lands Department (DLO/HKE, LandsD):
  - (a) According to the application, the applicant proposed to apply for land exchange to implement the proposed development after planning application to be approved by the Board. The applicant is advised that there is no guarantee that such application will be approved by LandsD and that the required planning approval for the "CDA" zone, if approved by the Board, is prerequisite to application for land exchange. If it is approved by LandsD acting in its capacity as the landlord at its absolute discretion, it will be subject to such terms and conditions, including but not limited to payment of premium and administrative fees as may be imposed.
  - (b) He has no in principle objection to the inclusion of adjacent government land (including area of slope) into development site for proper land management. However, there is no guarantee that the government land will be granted to the applicant in processing the land exchange to implement the proposed development. The site area of the Site including the adjoining government land would have to be subject to survey.
  - (c) The proposed lift and elevated footbridge connecting between the Site and the HCII fall outside the boundary of the Site. The lift falls within the HCII is subject to amendment road scheme gazetted under Roads (Works, Use and Compensation) Ordinance (Cap. 370) in July 2019, which has yet been authorised under the Cap. 370. There is no guarantee that the proposed elevated footbridge across government land connecting to HCII will be granted to the applicant in processing the land exchange application if received. The Indicative Scheme for the footbridge may involve gazettal under the Cap. 370.
  - (d) NKT is proposed to be preserved without Government funding and used for non-profit making purposes. The applicant indicates that the restoration, maintenance and future running costs of NKT will be at no cost to the Government. Relevant policy

- bureaux/departments should confirm their policy intention and requirements on the conservation proposal, and to oversee the implementation of the proposal including the subsequent operation.
- (e) The application includes provision of 2,292m<sup>2</sup> POS at podium level +34mPD, this proposal should be checked against Design and Management Guidelines of POSPD and the view of relevant bureau/department in assessing the issues on operation of the public open space for wedding ceremonies/guided tours, case of accessibility by the public and the party responsible for the management and maintenance of the public open space and associated access since it appears no restriction against the disposal of the completed commercial/residential development to individual owners (see SDEV(L)'s comments above).
- (f) Salient Lease Conditions of the lots within the Site is provided in **Appendix II.**

## **Building Aspect**

- 11.1.4 Comments of the Chief Building Surveyor/Hong Kong East & Heritage, Buildings Department (CBS/HKE&H, BD):
  - (a) Subject to the widening of Ship Street (proposed under HCII development) to not less than 4.5m wide and that Ship Street remains an unleased government land under Building (Planning) Regulations (B(P)R) 18A(3)(a)(iii), the Site may be accepted as a "Class A" site abutting a specified street, viz. Ship Street.
  - (b) The applicant is required to provide sufficient documentary proof of ownership of realistic prospect of control of the lands forming the site upon formal building plan submission. The applicant's attention is also drawn to the Building Authority's Circular Letter dated 20 October 2010 to all authorised persons (AP), registered structural engineers (RSE), registered geotechnical engineers (RGE) on "Application for Approval of Building Plans Proof of Ownership of Land".
  - (c) The applicant is reminded to provide sufficient natural lighting and ventilation to the domestic units in accordance with B(P)R 30 and provide a service lane at the rear or side of the building in accordance with B(P)R 28.
  - (d) If the applicant intends to apply for GFA exemptions for the green/amenity features and non-mandatory/non-essential plant rooms, the pre-requisites and the Sustainable Building Design Guidelines as stipulated in PNAP APP-151 and 152 should be complied with.

(e) Detailed comments on compliance with the Buildings Ordinance would be given upon formal building plan submission, including the non-provision of emergency vehicular access (EVA).

# **Traffic**

- 11.1.5 Comments of the Commissioner for Transport (C for T):
  - (a) The applicant claims that the L/UL and parking demands could be handled by the existing facilities. The applicant's responses in **Appendices Ii, Im and Io** provide additional information including the number of available car parking spaces and utilization survey results of the L/UL bays in the vicinity to support his claim. It is noted that it is impractical to provide vehicular access to the Site due to site constraints and the additional car parking and L/UL demand arising from this rezoning proposal can be served by existing car parking spaces in nearby developments and L/UL facilities in the vicinity. As such, she has no in-principle objection to this application.
  - (b) Should the application be approved by the Committee, approval condition requiring submission of construction TIA to her satisfaction is required.

# Visual & Urban Design and Air Ventilation

11.1.6 Comments of the Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD):

Visual & Urban Design

The proposal is to amend the zoning of the Site from "O", "R(C)", (a) "G/IC" to "CDA" to facilitate development of a 21-storey composite tower, as well as revitalisation of the Grade 1 historic building of NKT. In terms of the wider cityscape, it is generally accepted that "O" zones offer valuable spatial and visual relief in densely built-up urban areas, including the Wan Chai Area. Notwithstanding, the Indicative scheme proposes some open spaces mainly at the eastern portion with NKT preserved for adaptive re-use and a residential tower up to 90.5mPD at the western portion. Judging from the photomontages, the current scheme is not entirely out-of-context with the nearby planned residential neighborhood, GIC cluster and proposed hotel development (i.e. HCII), and views to the ridgeline is preserved. The applicant is advised to give due consideration to the façade treatment of the retaining wall of the platform at MKT with a view to avoiding a blank wall treatment devoid of visual interest.

- (b) In terms of open space provision, the applicant proposed to compensate the loss of "O" zone with an open space of 1,700m<sup>2</sup> (including NKT) and 592m<sup>2</sup> of covered landscaped area for public use. The covered landscape area serving as sheltered sitting out areas may contribute to the overall enjoyment.
- (c) The Site is currently accessible via staircases off Ship Street and Schooner Street. The applicant proposes a main access to the open space via a footbridge over Ship Street connecting to the proposed HCII development, while lifts and staircases are proposed at Ship Street and Schooner Street for access to the open space. Consideration should be given to provide more direct barrier-free connection between the site and the proposed public open space under HCII development for access to Queen's Road East.
- (d) According to section 6.2(6) of the Urban Design Guidelines to the HKPSG, new developments should respect and create a suitable setting to existing heritage features, in terms of BH, massing and scale etc. The applicant should endeavour to increase the separation distance, introduce setbacks of the tower away from the subject historic building and reduce the building mass. In this way, the public would be able to read the subject historic building without being interjected or distracted by the proposal. Landscaping should be introduced between the two buildings in order to strengthen the buffering effect and better demarcate the two as separate entities as viewed from its immediate curtilage or beyond.

#### Air Ventilation

- (e) Air Ventilation Assessment (AVA) Initial Study has been submitted to demonstrate the ventilation performance under the Baseline Scheme (an OZP compliant scheme) and the Indicative Scheme. Slight increase in Site Velocity Ratio (SVR) and Local Velocity Ratio (LVR) are found when comparing the performance of the Indicative Scheme with the Baseline Scheme in both annual and summer conditions, which represent slight improvements on the ventilation performance at the immediate vicinity and the overall pedestrian wind environment.
- (f) The Indicative Scheme incorporates a void with 5m headroom to enhance the low level permeability. However, the applicant did not propose any implementation mechanism even though the report acknowledges implementation of the ground floor permeable element as essential.
- (g) Detailed comments on the AVA report are in **Appendix II**. Nonetheless, they shall not affect the overall conclusion of the AVA report.

- 11.1.7 Comments of the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD):
  - (a) The Site is isolated from major road network and not served by any vehicular access road. It is undesirable from vehicular traffic connectivity and logistic delivery point of view.
  - (b) It is noted that the proposed development mainly consists of one tower block on the podium level at 34mPD with a height of 18 storeys. It is undesirable from visual impact point of view and may not be compatible to developments in the adjacent "R(C)" zone with BH restriction of 12 storeys.

# **Landscape and Tree Preservation**

## 11.1.8 Comments of CTP/UD&L, PlanD:

According to the Tree Preservation and Removal Proposal (TPRP), 60 out of 62 number of the existing trees within the Site are proposed to be felled. Among the two remaining trees, one would be transplanted and another one would be retained. No trees are neither in rare or protected trees nor registered Old and Valuable Tree (OVT) or potential OVT. Impact on the landscape resources due to the proposed development is anticipated. Nevertheless, the applicant has proposed 61 number of heavy standard sized new trees planting surrounding the Site to ensure the quality of landscaping and provide green effect. In view of this, she has no objection to the application from the landscape planning perspective.

## 11.1.9 Comments of the Director of Leisure and Cultural Services (DLCS):

- (a) The applicant is requested to seek his prior consent on any interface work between the Site and the public open space at Ship Street which is undertaken by Hopewell to re-provision the Ship Street Playground under the project of HCII. Also, the applicant should ascertain any proposed work either inside the Site or at the interface with the public open space at Ship Street should not adversely affect the design and construction of the leisure facilities as well as soft landscaping at the Ship Street Playground which is now being re-provisioned, and the subsequent maintenance of the playground upon its completion.
- (b) His detailed comments are in **Appendix II**.

## **Environment**

11.1.10 Comments of the Director of Environment Protection (DEP):

She has no objection to the application from environmental planning perspective since the proposed uses (i.e. residential, commercial and open space, etc.) are not incompatible with the surrounding land uses and the proposed development would be subject to the requirement of Section 16 planning application in the future in the event this rezoning proposal is accepted.

# **Drainage and Sewerage**

11.1.11 Comments of the Director of Drainage Services:

In view of the submitted Drainage Impact Assessment and Sewerage Impact Assessment, he has no objection to the application from public drainage and sewers maintenance viewpoint. The applicant is advised to seek the comment from DEP, the planning authority of sewerage infrastructure from sewerage planning perspective prior to the construction stage.

# **Geotechnical**

- 11.1.12 Comments of Head (Geotechnical Engineering Office), Civil Engineering and Development Department:
  - (a) The contents of the Geotechnical Planning Review Report (GPRR) at Appendix 6 of the Planning Statement are noted, which concluded that the Indicative Scheme is geotechnically feasible to be implemented and that the stability of slopes/retaining walls affected by the proposed development will be reviewed during the detailed design stage and upgraded to meet the current geotechnical standards if found necessary.
  - (b) A curtailed review reveals that the GPRR contains some omissions/deficiencies mainly in respect of inaccurate descriptions of previous studies/works or statutory orders associated with existing geotechnical features in close proximity to the Site, such as the omission of the Dangerous Hillside Order (No. DH0038/HK/15/C) dated 6.6.2015 served to the responsible owners of Feature No. 11SW-B/R617 and omission of remedial works for features No. 11SW-B/CR235 implemented by the responsible owners under a private development project. application's attention should be drawn omissions/deficiencies identified, which warrant a more thorough desk study and should be rectified in the future submission in the Section 16 planning application as appropriate.

# **Fire Safety**

11.1.13 Comments of the Director of Fire Services (D of FS):

He has no in-principle objection to the application subject to fire service installations and water supplies for firefighting being provided to the satisfaction of his department. Detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans.

### **Others**

11.1.14 Comments of the Director of Electrical and Mechanical Services:

He has no comments from electricity supply safety aspect. However, in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organising and supervising any activity near the underground cable or overhead line under the mentioned application should approach the electricity supplier (i.e. Hongkong Electric) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the concerned site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the "Code of Practice on Working near Electricity Supply Lines" established under the Regulation when carrying out works in the vicinity of the electricity supply lines.

11.1.15 Comments of the Director of Food and Environmental Hygiene:

She will not responsible for collecting the household waste of the proposed development. The business operators are required to dispose of the waste arising from the commercial activities at their own arrangement and expense.

#### **District Officer's Comments**

11.1.16 Comments of the District Officer (Wan Chai), Home Affairs Department:

He has no comments on the application and his office has not received any comments from members of the public.

- 11.2 The following departments have no comment on the application:
  - (a) Chief Highway Engineer/Hong Kong, Highway Department;
  - (b) Chief Engineer/Construction, Water Supplies Department; and
  - (c) Commissioner of Police.

# 12. Public Comments Received During Statutory Publication Period

On 27.4.2018, 1.2.2019, 12.4.2019, 21.6.2019, 6.9.2019 and 18.10.2019 the application and the FIs were published for public inspection respectively. During the first three weeks of the statutory public inspection period, which ended on 18.5.2018, 22.2.2019, 3.5.2019, 12.7.2019, 27.9.2019 and 8.11.2019 a total of 2,514 comments were received (**Appendix III**) as tabulated in the table below. Full set of public comments received is also deposited at the Secretariat for Members' reference.

| Inspection period | Public comments | Support | Objection/<br>Concern |
|-------------------|-----------------|---------|-----------------------|
| 18.5.2018         | 447             | 415     | 32                    |
| 22.2.2019         | 352             | 312     | 40                    |
| 3.5.2019          | 464             | 305     | 159                   |
| 12.7.2019         | 417             | 391     | 26                    |
| 27.9.2019         | 362             | 343     | 19                    |
| 8.11.2019         | 472             | 470     | 2                     |
| Total             | 2,514           | 2,236   | 278                   |

- 12.2 Amongst the 2,514 public comments received, 2,236 support the application. The supporting comments are submitted by individuals (in standard forms of similar comments) and four Management Office of Fully Building, Incorporated Owners (IO) of Kelly House, Wing Hing Building (Spring Garden Lane) and Moonstar Court). The remaining 278 comments, submitted by a Legislative Councilor, two WCDC Members, the Conservancy Association, Central and Western Concern Group, Kennedy Road Protection Group, Management Office of Dragon Villa, IO of Greenland House in Sau Wa Fong, Man Yuen Garden and Sakura Court in Kennedy Road and individuals, oppose/raise concern on the application.
- 12.3 Major grounds of supporting comments include :
  - (a) the rezoning proposal will provide more land for housing supply and ease the pressing housing demand as well as creating job opportunities;
  - (b) it enhances the living environment, provide open space for the public, and barrier-free and more convenient access between Kennedy Road and Queen's Road East while improving the connectivity of NKT and the proposed open space;
  - (c) the proposal help preserves a Grade 1 historical building NKT with non-profit making purpose and open to the public;
  - (d) the development facilitates the development potential of the land and allow more effective layout design; and
  - (e) the rezoning proposal improves the safety and security for students,

teachers and residents; and enhance the local characteristic and facilitate the economic and social activities in Wan Chai via revitalising NKT.

## 12.4 Major grounds of objection and concerns are summarised as follows:

#### Land Use and Intensity

- (a) it is inappropriate to rezone the Site as "CDA" which garners the PR entitlement from MKT and to NKT and HST which have no developable PR;
- (b) the rezoning proposal is contrary to the view of the Board in 1994 that there is a lack of public open space in Wan Chai;
- (c) the proposed development is over-developed exceeding the planning restrictions for Sau Wa Fong thereby setting undesirable precedent;
- (d) the proposed development is too close to the St. Francis Canossian College that sufficient space between the two should be provided;

# Accessibility and Traffic

(e) the Site is only served by long steps without vehicular access. It will cause impact to the overloaded Kennedy Road (KR) and Queen's Road East (QRE). Extra traffic will be brought to the narrow St. Francis Street and Schooner Street. There will be accumulative traffic impact from redevelopment and intensification of existing buildings along KR and QRE;

## Open Space Provision

- (f) the proposed public open space appears to be designed for private use. Children playground should be included to ease the local deficiency;
- (g) the proposed open space should have unimpeded natural wind ventilation and sun light. The design of which has undermined these elements;

#### Tree Preservation

(h) only two of the 62 existing trees within the Site will be retained/transplanted. Felling of existing trees which form part of the historical landscape should be avoided. The proposed podium might not be beneficial to tree growth;

# Environmental Impact

(i) there will be accumulative environmental impacts during the construction of the development together with HCII, thereby worsening the air ventilation and the blockage of sunlight. Moreover, the development

proposal has not provided a proper refuse collection and arrangement;

## **Building Safety**

(j) the developer should ensure that there is no adverse impact on the building structure and safety of the nearby buildings. Maintenance works should be carried out, at the cost of the developer, if there is any damage caused;

#### Air Ventilation and Visual Impact

(k) the proposed development, located in close proximity of the existing residential developments and the St. Francis College, would further worsen the air ventilation, visual and natural daylight to the area. The statement in the AVA stating that the wind environment to the surrounding areas of the Site would be enhanced with the proposed development is false;

## Heritage Conservation

- (1) no preservation, restoration and maintenance works for NKT has been carried out by the applicant. It is doubtful whether the applicant has the ability to manage the preservation works of NKT;
- (m) NKT should be preserved as a heritage site only. The proposed marriage registry is inappropriate due to its wartime history as a military brothel for the Japanese army. Some commenters suggest using NKT as a small war/women's right museum for education purpose;
- (n) NKT will become invisible to the visitors as it will be blocked by the existing, planned and proposed developments in the surrounding. The general public should be entitled to participate in the preservation processes of NKT and allow to visit after the maintenance;

#### Others

- (o) the proposed development would only benefit a small selected group; insufficient public consultation from the residents in the surrounding by the applicant; technical assessment reports should be provided when publishing the FI; supporting public comments were submitted in standard forms; the applicant had submitted FI/made deferment requests which necessitated the re-schedule of the consideration by the Committee; and as the applicant is a major benefactor of district events in Wan Chai and the adjacent College, there is reservation over the independence of WCDC and the College to support this proposal; and
- (p) there are also submissions commenting on other on-going projects in Wan Chai, e.g. HCII and public park at Ship Street.

# 13. Planning Considerations and Assessments

13.1 The applicant proposes to rezone the Site, which is mainly private land, from "O", "R(C)" and "G/IC" to "CDA". The Indicative Scheme will accommodate domestic GFA of 11,843.5m² and non-domestic GFA of 680m² (including the GFA of NKT) with a BH of 90.25mPD (21 storeys). The proposed "CDA" zone will necessitate the preparation and submission of a Master Layout Plan for the approval of the Board for any future development at the Site. About 84% (2,030m²) of the Site is currently zoned "O", of which there is no implementation programme.

# Open Space Provision

- 13.2 As mentioned in paragraph 5 above, NKT and 1A/1-3 HST, with a total area of 1,786m² (**Plan Z-2**), were proposed to be surrendered in the past for open space development associated with the HCII development in 1994. However, this was not materialised because of the then land administration policy. Notwithstanding that, these sites were rezoned to "O" by the Board in 1994 for the reasons detailed in paragraph 5.2 above. Since then, the two sites together with the adjoining areas have remained undeveloped and DLCS has no plan to resume the private land for the development of public open space.
- 13.3 Based on the HCII development under Application No. A/H5/217 which was approved with conditions by the Board in 1994 (1994 Scheme), a total of 5,880m² open space including the public park at Ship Street (2,030m²) and the private park at Kennedy Road (opens at 0600 2300 with area of 3,850m²) will be provided. Subsequently, in the latest scheme for HCII (which was approved with conditions by the Committee on 11.8.2017 under the Application No. A/H5/408 (2017 Scheme)), the area of the private park was slightly enlarged by 80m² bringing the total open space to 5,960m² (**Plan Z-12**). There will be barrier-free pedestrian access connecting the above public and private parks in HCII together with the Site.
- 13.4 At a District Council level, there will be an overall surplus of open space (about 19.2ha) in Wan Chai with the planned provision of 56.19ha open space (including 15.83ha local open space and 40.36ha district open space), despite there will be a deficit of local open space of about 2.7ha. As per Wan Chai OZP, on the other hand, there will be an overall shortfall of 6.76ha of open space with the planned provision of 5.82ha open space (including 4.9ha local open space and 0.9ha district open space).
- 13.5 The applicant proposes to provide a POSPD of 2,292m² in the Indicative Scheme which comprises an open-air open space of 1,700m² (including NKT building) and 592m² covered landscape area (under the residential tower). According to the HKPSG, only open-air open space in general should be countable to the provision, while covered areas (e.g. pavilions) if supporting the main recreation use may also be counted. As mentioned in paragraph 13.1 above, the affected "O" zone has an area of 2,030m². Although the proposed open-air open space provision in the Indicative Scheme cannot fully compensate the affected "O"

zone, consideration may be given to that the covered landscape area serving as sheltered sitting out areas may contribute to the overall enjoyment of the openair open space and thus compensate part of the "O" zone lost. In addition, the proposed development could bring about the early implementation of the planned open space and the preservation of the graded building of NKT. Otherwise, the Site together with the NKT would continue to be left vacant with no implementation programme.

## Compliance with the POSPD

- 13.6 The proposed POSPD is generally in line with the POSPD Guidelines in terms of the shape, layout, initial design, and public visibility. Besides, the POSPD will be accessible via the main entrance at Schooner Streets and the elevated footbridge connecting the public open space in Ship Street and the private park of the future HCII (**Plan Z-12**) and this would achieve the intention of forming a strategic open space network in the inner area of Wan Chai. The design of the POSPD including the facilities and landscaping could be further examined at the detailed design stage.
- 13.7 Regarding the management aspect of the POSPD, the POSPD will be open to public for 17 hours (i.e. 0600 2300) as proposed by the applicant. It will be constructed, managed and maintained by the applicant. The details of its implementation could be further sorted out at the planning application stage, should the Committee agree with the rezoning application.

#### Development Intensity and BH

- 13.8 The Sau Wa Fong stepped street area mainly falls within "R(C)" zone with BH and PR restrictions of 12 storeys and 5 respectively to reflect the limited accessibility and local character of the well-preserved terraced area. The proposed PR 5.16 in the Indicative Scheme comprises the GFA of existing building of NKT (PR 0.16) and that of the proposed residential cum retail development (PR 5). It is generally in line with the PR restriction of the "R(C)" zone in Sau Wa Fong.
- While the BHs of the existing buildings in Sau Wa Fong are ranging from 20 to 55mPD (with two buildings, i.e. Hoover Tower 1 and Hoover Tower 2 at about 90mPD) (**Plan Z-11**), they are generally located at lower platforms. The proposed BH of the residential tower in the Indicative Scheme is 18 storeys (or 90.25mPD). Having considered that the proposed development is located at the upper platform of 34mPD where the NKT is situated, the need for preserving the NKT and the need for providing open space to compensate the affected "O" area, it is understood that a higher BH in terms of number of storeys and mPD would be required to accommodate the permissible GFA. D of FS and CBS/HKE&H, BD has no objection to the proposed development intensity and BH. In overall terms, the proposed BH in term of mPD is considered not incompatible with the surrounding developments, in particular the adjacent St. Francis' Canossian College which has a BH of 90mPD.

## Urban Design Perspective and Air Ventilation

13.10 The loss of "O" zone due to the proposed development would inevitably affect the spatial and visual reliefs in the area. While CA/CMD2, ArchSD has raised concerns on the visual impact of the proposed development to the surrounding neighbourhood, the assessment in paragraph 13.9 above is relevant. In terms of air ventilation, the AVA submitted by the applicant has concluded that there is slight improvements on the ventilation performance at the immediate vicinity and the overall pedestrian wind environment. CTP/UD&L, PlanD has no objection to the conclusion in the AVA, but considers that the measures to enhance the low level permeability should be ensured at planning application stage. Hence, these technical concerns can be further dealt with at the planning application stage, should the Committee agree with the rezoning application.

# Heritage Conservation Perspective

13.11 The applicant proposes to preserve NKT in-situ at his own cost and NKT will be converted into a wedding ceremony venue to be operated on a non-profit making basis for the benefit of the community. CHO, DEVB supports the applicant's intention to in-situ preserve NKT which is privately owned and considers that the proposal would commensurate with the heritage value of NKT. Regarding CTP/UD&L, PlanD's concerns on the impact of the proposed development on NKT, the applicant has agreed to prepare a CMP to properly manage the change in NKT during the conversion works, both physically and visually to the satisfaction of AMO.

## Tree Preservation

13.12 Parts of the Site are covered by vegetated slopes with existing trees at the southwest and northwest and a few existing trees are adjacent to NKT. According to the TPRP, almost all the existing trees, i.e. 60 out of 62 nos. within the Site are proposed to be felled (including 7 dead trees). However, these trees are all common trees and no trees are neither in rare or protected trees nor registered/potential OVT. For the remaining two trees, one will be transplanted (T40) and one will be retained in-situ (T41). In terms of tree compensation, 61 in heavy standard size trees would be planted. In this regard, both CTP/UD&L, PlanD and DLCS have no objection to the application.

## Accessibility and Transport

13.13 The Site is not served by any vehicular access. According to the applicant, it would be difficult to provide any vehicular access including EVA due to the substantial level difference with Queen's Road East and Kennedy Road. Future residents or visitors will have to gain access through the pedestrian networks from Queen's Road East via Sik On Street/St. Francis Street (Plan Z-11) and through the public open space in Ship Street (Plan Z-12). C for T has no in-principle objection to the rezoning proposal especially on the non-provision of internal transport facilities at the development. C for T agrees that due to site constraints and the additional car parking and L/UL demands

arising from this rezoning proposal can be served the existing car parking spaces in nearby developments and the L/UL facilities in the vicinity. As for C for T's concern on construction traffic, this can be further dealt with at the planning application stage, should the Committee agree with the rezoning application.

# Designation of "CDA" Zone

13.14 The proposed rezoning generally meets the Board's Guidelines TPB PG No. 17A regarding the designation of "CDA" zones in that the proposal involves restructuring of land uses in the old urban areas of Wan Chai, to ensure appropriate control on the overall scale and design of the development in Sau Wa Fong stepped street area and preservation of NKT through planning permission system.

#### Public Views

13.15 There are both supporting and objecting public views on the application. the objecting comments in relation to the land use, development intensity, accessibility, traffic and environmental impacts, open space provision, heritage conservation and tree preservation, comments of the relevant departments in paragraph 11 and the assessment in paragraphs 13.2 to 13.14 above are relevant. Regarding the public comments on statutory planning process, it should be noted that all the information including the FIs submitted, the relevant planning statement and technical submissions have been made available for public inspection until the Committee has made a decision on the application. Relevant TPB guidelines such as TPB PG-No. 32 and TPB-PG No. 33 have been duly followed in processing the submission of the FIs and the deferment requests made by the applicant. The Committee decided to defer making a decision on the application twice at the request of the applicant pending the submission of FI by the applicant and all the submitted FIs were considered acceptable as they did not result in a "material change" of the nature of the application. Whenever the FI required publication, the application would have to be rescheduled for the consideration by the Committee.

## 14. Planning Department's Views

- 14.1 Based on the assessments made in paragraph 13 and having taken into account the public comments mentioned in paragraph 12 above, PlanD has no in-principle objection to the application and recommends the Committee to agree to the application by rezoning the Site to "CDA" with stipulation of appropriate development restrictions and requirements on the OZP.
- 14.2 Should the Committee decide to agree/partially agree to the application, the relevant proposed amendments to the Wan Chai OZP would be submitted to the Committee for agreement prior to its gazetting under the Ordinance.
- 14.3 Alternatively, should the Committee decide not to agree to the subject

application, the following reasons is suggested for Members' reference:

- (a) there is a shortfall in the provision of open space under the OZP. The "O" zone on the OZP is appropriate; and
- (b) the applicant fails to demonstrate that the proposed rezoning would not have adverse traffic and visual impacts.

## 15. <u>Decision Sought</u>

- 15.1. The Committee is invited to consider the application and decide whether to agree, partially agree, or not to agree to the application.
- 15.2. Should the Committee decide to agree, partially agree, or not to agree to the application, Members are invited to advise what reason(s) for the decision should be given to the applicant.

## 16. Attachments

| Appendix I  | Applicant's                      | letter   | and    | application   | Iorm     | received | on |
|-------------|----------------------------------|----------|--------|---------------|----------|----------|----|
|             | 13.4.2018                        |          |        |               |          |          |    |
| Appendix Ia | Supplementary Planning Statement |          |        |               |          |          |    |
| Annondiv Ih | Applicant's 1                    | etter de | ated 2 | 1 & 2018 prox | riding 1 | ΕĪ       |    |

Appendix IbApplicant's letter dated 21.8.2018 providing FIAppendix IcApplicant's letter dated 5.9.2018 providing FIAppendix IdApplicant's letter dated 20.9.2018 providing FI

**Appendix Ie** Applicant's letter dated 16.1.2019 & 18.1.2019 providing FI

**Appendix If** Applicant's letter dated 1.4.2019 providing FI Appendix Ig Applicant's letter dated 10.6.2019 providing FI Applicant's letter dated 22.8.2019 providing FI **Appendix Ih Appendix Ii** Applicant's letter dated 20.9.2019 providing FI Applicant's letter dated 30.9.2019 providing FI Appendix Ij Appendix Ik Applicant's letter dated 29.10.2019 providing FI Appendix Il Applicant's letter dated 21.11.2019 providing FI Applicant's letter dated 28.11.2019 providing FI Appendix Im Applicant's letter dated 4.12.2019 providing FI **Appendix In** Applicant's letter dated 5.12.2019 providing FI Appendix Io

Appendix II Other Comments of CHO, DEVB & AMO, DLO/HKE,

LandsD, CTP/UD&L, PlanD and DLCS

**Appendix III** Public Comments

**Drawing Z-1** Overall Layout Plan

Drawings Z-2 to Z-4 Floor Plans
Drawing Z-5 Section Plan
Drawings Z-6 and Z-7 Landscape Plans

**Drawing Z-8** Access Routes to the Site

Drawing Z-9 Ultimate Scheme Plan Z-1 Location Plan

Plan Z-2 Site Plan
Plan Z-3 Aerial Photo
Plans Z-4 to Z-10 Site Photos

Plan Z-11 BH in Sau Wa Fong

Plan Z-12 Pedestrian route connecting with the public open space in

Ship Street which connecting with HCII

Plan Z-13 Committed surrender areas related to HCII in the past

# PLANNING DEPARTMENT DECEMBER 2019